

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WESTCHESTER ENTERPRISES, INC.,
a New York Corporation,

Plaintiff,

-against-

PATRICK PERRIN, a citizen of France,
and SOCIÉTÉ D'ORGANISATION
CULTURELLE, also known as SOC
a French Société à Responsabilité Limitée,

Defendants.

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Answer of Defendants

Docket no. 08 civ 03268

Judge Leisure

Defendants, for their Answer to the Complaint of plaintiff, through their counsel, state:

1. Deny the allegation of paragraph 1 of the complaint.
2. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 2 of the complaint.
3. Admit the allegations of paragraph 3 of the complaint.
4. Admit the allegations of paragraph 4 of the complaint.
5. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 5 of the complaint.
6. Deny the allegation of paragraph 6 of the complaint.
7. Deny the allegation of paragraph 7 of the complaint.
8. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 8 of the complaint.
9. Admit the allegations of paragraph 9 of the complaint.
10. Admit that "Wendy" and "Perrin" were introduced in Moscow in June 2007, but deny

the balance of the allegations of paragraph 10 of the complaint.

11. Deny the allegations of paragraph 11 of the complaint.

12. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 12 of the complaint.

13. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 13 of the complaint.

14. Deny the allegation of paragraph 14 of the complaint.

15. Deny knowledge and information sufficient to form a belief as to the allegations of paragraph 15 of the complaint, except that an e-mail was sent from defendant Perrin to “Wendy” on or about December 14, 2007.

16. Deny the allegation of paragraph 16 of the complaint.

17. Defendants repeats the foregoing in response to the allegations of paragraph 17 of the complaint.

18. Deny the allegation of paragraph 18 of the complaint.

19. Deny the allegation of paragraph 19 of the complaint.

20. Deny the allegation of paragraph 20 of the complaint.

21. Deny the allegation of paragraph 21 of the complaint.

22. Deny the allegation of paragraph 22 of the complaint.

23. Defendants repeats the foregoing in response to the allegations of paragraph 23 of the complaint.

24. Deny the allegation of paragraph 24 of the complaint.

25. Deny the allegation of paragraph 25 of the complaint.

26. Deny the allegation of paragraph 26 of the complaint.

27. Deny the allegation of paragraph 27 of the complaint.

Demand for trial by jury:

28. Defendants demand trial by jury.

For a first affirmative defense:

29. This court does not have jurisdiction over the persons of the defendants because of improper and/or defective service of process.

For a second affirmative defense:

30. This court does not have jurisdiction over the persons of the defendants because of lack of minimum contacts with this jurisdiction, and/or lack of a "long arm" or other lawful basis to exercise jurisdiction.

For a third affirmative defense:

31. Venue is improper since no acts forming the basis of venue were performed in this jurisdiction.

For a fourth affirmative defense:

32. The complaint should be dismissed for *forum non conveniens*.

For a fifth affirmative defense:

33. Any alleged damages sustained by plaintiff are to be diminished by plaintiff's failure to mitigate damages.

Wherefore, defendant demands judgment dismissing the complaint, with costs and attorney fees assessed against plaintiff.

Dated: July 7, 2008

Yours etc.

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Trial counsel to Jacob Sebag & Associates., PC

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